

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**



Felony and Misdemeanor Bail Schedule

**Approved by the
Judges of the Riverside County Superior Court
November 30, 2009**

Effective Date: January 1, 2010

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**

Felony and Misdemeanor Bail Schedule

This Bail Schedule is adopted by the Superior Court of California, County of Riverside pursuant to Section 1269b(c) of the Penal Code and is to be utilized pursuant to Section 1268 et seq. of the Penal Code in setting bail for the release of persons arrested on charges, without warrant, for the alleged commission of any bailable offense, and for Writs of Habeas Corpus.

This Bail Schedule consists of two sections: (A) Bail for Felonies, and (B) Bail for Misdemeanors.

Changes from the previous Schedule (adopted 10/24/08 and effective 1/1/09):

- **Penal Code section 32 was deleted from Rule 3. The default would then be the chart in Part 2 of the Schedule and bail would be \$5,000.**
- **Under Rule 3 the following sentence was added: “In the case of 182 / 187 PC, the bail is \$1 million, even if special circumstances are alleged.”**
- **Regarding Penal Code section 217.1, subsection (a) was added to that charge, thereby keeping the bail at \$250,000. The bail for subsection (b) would default to Part 2 of the Schedule and would be \$1 million.**
- **Penal Code section 269 was deleted from Part 3. The bail then defaults to Part 2 and would be \$1 million.**
- **Penal Code section 12310 was deleted. The bail for this offense then defaults to Part 2 and bail would be no bail for subsection (a) and \$1 million for subsection (b).**

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SECTION A: FELONY BAIL SCHEDULE

PART 1: RULES

RULE 1: Setting Bail

Bail for felony crimes will be set as follows:

1. The amount set in the approved arrest warrant;
2. The amount set pursuant to 1269c P.C. (See Rule 6(A) herein);
3. The amount set at a hearing in court; and / or
4. The amount set through use of this Bail Schedule.

The Felony Bail Schedule consists of four parts:

1. The “Rules”;
2. The “General Bail Amounts”;
3. The “Special Bail Amounts”; and
4. The “Bail Amounts for Enhancements.”

Review all Rules. Review the “General Bail Amount” section. Review the “Special Bail Amount” section. If the bail amount is different, the higher amount applies.

To calculate bail on any one case, take the count which imposes the longest term of incarceration, find the bail amount from the “General Bail Amount” section. Check the “Special Bail Amount” section. If there is a conflict, use the larger sum. Next, add bail for all enhancements. The calculation is per case. For example, if a person has three cases and the bail is \$5,000.00 on one case, \$75,000.00 on another case, and \$25,000.00 on a third case, then the person must post three separate bonds, one for each case, in order to be released.

NOTE: GANGS: Look under PART 3 (186.22(a)) for the substantive crime.
 Look under PART 4 (186.22 (b) and (d)) for the enhancements.

RULE 2: No Bail

The following offenses will not be admitted to bail:

1. Murder with special circumstances. Use the procedure outlined in Rule 6.A. The declaration needs a statement by the District Attorney that states special circumstances will be filed in the Complaint. The special circumstances must be filed in the Complaint.
2. The offense charged is a felony involving acts of violence on another and the facts are evident or the presumption great and there is clear and convincing evidence that the

defendant's release will result in great bodily harm to others. Use the procedure outlined under Rule 6.A.

3. The offense charged is a felony and the facts are evident or the presumption great and there is clear and convincing evidence that the defendant has threatened another with great bodily harm and there is a substantial likelihood that defendant will carry out the threat if released. Use the procedure outlined in Rule 6.A.

RULE 3: Attempts, Etc.

The following felony offenses will have a bail amount equal to the substantive offense, which was the object of the conspiracy, solicitation or attempt.

Section 182 P.C.
Section 653 P.C.
Section 664 P.C.

In the case of 182/187, the bail is \$1 million, even if special circumstances are alleged.

RULE 4: Multiple Counts

In the event the defendant is charged in any one case with the commission of more than one crime, the single higher/highest bail, plus all applicable enhancements, shall apply, except as otherwise provided in this Schedule.

RULE 5: Enhancements/Strikes

A. *Enhancements:*

Where a felony offense has been committed and it is alleged in the Complaint or Information, or it is evident from other information made available to the Court, that one or more punishment enhancements described in this Schedule are applicable, such bail increase specifically described for each applicable enhancement shall be added cumulatively to the bail set forth for the specified offense.

B. *Strikes:*

Where it is alleged in the Complaint or Information, or it is evident from other information made available to the Court, that within the meaning of Penal Code Sections 667 and 1170.12:

- (1) If the defendant has previously been convicted of one serious or violent felony (strike 1), the bail is enhanced by \$50,000.00.
- (2) If the defendant has previously been convicted of two or more serious or violent felonies, the bail is \$1,000,000.00.

RULE 6: Bail Increase / Source of Bail Funds

A. Bail Increase (1269c P.C.)

In the event that law enforcement has reasonable cause to believe that the amount of bail set forth in the Bail Schedule is insufficient, the arresting officer shall provide the booking officer at the custodial jail a copy of a 1269c P.C. declaration requesting an order setting higher bail. Once a copy of the 1269c P.C. form has been given to the booking officer, no one shall release the defendant except at the higher requested bail. The arresting officer then has eight (8) hours to obtain Magistrate approval. If no Magistrate approved 1269c form is provided to the booking officer within eight (8) hours of the initial booking, then the defendant may be released at the amount of bail as indicated by the Bail Schedule. Any Magistrate approved 1269c form must be filed with the Complaint.

B. Source of Bail Funds (1275.1 P.C.)

In the event that law enforcement has reasonable cause to believe that bail has been or may be obtained by felonious means, the arresting officer shall provide the booking officer at the custodial jail a copy of a declaration requesting an order pursuant to Section 1275.1 P.C. Once a copy of the 1275.1 P.C. form has been given to the booking officer, no one may release the defendant. The arresting officer has twenty-four (24) hours to obtain Magistrate approval. If a Magistrate approves the 1275.1 P.C. application, the defendant may not be released except upon the order of a Judge after a noticed hearing in Court. If no Magistrate approved 1275.1 P.C. form is provided to the booking officer within twenty-four (24) hours of the initial booking, then the defendant may be released upon whatever bail is set. Any Magistrate approved 1275.1 P.C. form must be filed with the Complaint.

RULE 7: Violation of Probation

In the absence of a specific court order, the amount of bail on a violation of felony probation shall be \$25,000.00. In the absence of a specific court order, the amount of bail on a violation of misdemeanor probation shall be \$5,000.00.

RULE 8: Economic Loss

If the alleged economic loss is greater than the bail schedule, the bail shall be the amount of the loss, rounded to the next higher thousand-dollar level; i.e., if the economic loss is \$58,423.00, the bail is \$59,000.00.

PART 2: GENERAL BAIL AMOUNT CHART FOR FELONIES

	Maximum Incarceration in State Prison (years)*	Bail
A.	Up to 3 years	\$5,000
B.	4 to 6 years	\$25,000
C.	7 to 9 years	\$50,000
D.	10 to 12 years	\$75,000
E.	12 or more years	\$100,000
F.	Life	\$1,000,000
G.	LWOP or DP	No Bail

* *Do not forget to add bail for enhancements from Part 4.*

PART 3: SPECIAL BAIL AMOUNTS FOR FELONIES

<u>PENAL CODE SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
136.1(c)	WITNESS INTIMIDATION	\$ 15,000.00
186.22(a)	GANG MEMBERSHIP (see also 186.22 in PART 4)	\$ 25,000.00
192	MANSLAUGHTER	
	[a] voluntary	\$ 100,000.00
	[b] involuntary	\$ 50,000.00
	(c) [1] vehicular w/gross negligence.....	\$ 50,000.00
	(c) [3] vehicular	\$ 25,000.00
203	MAYHEM	\$ 25,000.00
211	ROBBERY - 2nd Degree.....	\$ 25,000.00
	ROBBERY - 1st Degree	
	.. .inhabited dwelling house	\$ 150,000.00
	.. .in concert.....	\$ 250,000.00
215	CARJACKING	\$ 150,000.00
217.1(a)	ASSAULT ON PRESIDENT OR OTHER GOVERNMENT OFFICIAL	\$ 250,000.00
219.1	THROWING MISSILE AT VEHICLE OR COMMON CARRIER	\$ 50,000.00
220	ASSAULT WITH INTENT TO RAPE MAYHEM, OR SODOMY	\$ 50,000.00
243.1/243.2/ 243(c)(1)	BATTERY AGAINST PEACE OFFICER, FIREMAN OR CUSTODIAL OFFICER	\$ 25,000.00
243(d)	BATTERY W/SERIOUS BODILY INJURY	\$ 50,000.00
243.6	BATTERY AGAINST SCHOOL EMPLOYEE	\$ 25,000.00

PENAL CODE

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
243.7	BATTERY AGAINST JUROR.....\$	25,000.00
244	THROWING ACID WITH INTENT TO DISFIGURE OR BURN\$	50,000.00
245	ASSAULT WITH [a][1] a deadly weapon or force likely to produce great bodily harm.....\$	25,000.00
	(a)(2) a firearm.....\$	50,000.00
	(c) a deadly weapon against peace officer.....\$	25,000.00
	(d)(1) a firearm against peace officer\$	50,000.00
247	DISCHARGING FIREARM AT AIRCRAFT\$	25,000.00
267	ABDUCTION FOR PROSTITUTION.....\$	25,000.00
273a(a)	ABUSING OR ENDANGERING HEALTH OF CHILD\$	15,000.00 per victim
273d	INFLICT CORPORAL INJURY CHILD (CHILD BEATING)\$	25,000.00 per victim
273.5	INFLICT INJURY ON SPOUSE OR COHABITANT\$	50,000.00
	. . . with a prior.....\$	75,000.00
278.5	TAKING OR CONCEALMENT OF CHILD IN VIOLATION OF COURT ORDER.....\$	25,000.00

<u>PENAL CODE SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
288	LEWD OR LASCIVIOUS ACTS WITH CHILD	\$ 50,000.00 per victim
288a	ORAL COPULATION (b)(1) or (2); (e)	\$ 25,000.00 per victim
288.5	CONTINUOUS SEXUAL ABUSE OF CHILD (3 TIMES OR MORE)	\$ 75,000.00 per victim
311.4(b) or (c)	EMPLOYING MINOR FOR PORNOGRAPHY.....	\$ 50,000.00
422	TERRORIST THREATS	\$ 25,000.00
484i	COUNTERFEITING ACCESS CARDS.....	\$ 25,000.00
646.9	STALKING.....	\$ 25,000.00
	(b) w/temporary restraining order	\$ 50,000.00
	(c) w/prior conviction	\$ 50,000.00
4500	ASSAULT BY LIFE TERM PRISONER.....	\$ NO BAIL
4530	ESCAPE BY PRISON INMATE	\$ NO BAIL
4532	ESCAPE FROM LOCAL CUSTODY	
	[a] custody offense is a misdemeanor	\$ 10,000.00
	. . .with force or violence	\$ 50,000.00
	[b] custody offense is a felony	\$ 25,000.00
	. . . with force or violence	\$ 50,000.00
4574	SMUGGLING FIREARMS OR DEADLY WEAPON INTO PRISON OR JAIL	\$ 50,000.00
12021	FELON IN POSSESSION OF FIREARM	\$ 25,000.00
12303	POSSESSION OF DESTRUCTIVE DEVICE	\$ 25,000.00

<u>PENAL CODE SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
12303.1	POSSESSION OR CARRYING A DESTRUCTIVE DEVICE ON A VEHICLE	\$ 50,000.00
12303.2	POSSESSION OF DESTRUCTIVE DEVICE IN PUBLIC PLACE	\$ 50,000.00
12303.3	EXPLOSION OF DESTRUCTIVE DEVICE	\$ 50,000.00
12303.6	SALE OR TRANSPORTATION OF PROHIBITED DESTRUCTIVE DEVICES	\$ 50,000.00
12309	EXPLOSION OF DESTRUCTIVE DEVICE WHICH CAUSES BODILY INJURY	\$ 100,000.00

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HEALTH AND SAFETY CODE

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
11350/11377	POSSESSION OF NARCOTIC (NOT MARIJUANA).....	\$ 5,000.00
11351/ 11351.5/ 11378/11378.5	POSSESSION FOR SALE OF NARCOTICS less than one ounce [28.5 grams] one ounce or more ½ pound [8 oz.] or more 1 pound [454 grams][16 oz.] or more over 1 kilogram [2.2 lbs.][35.2 oz.] over 3 pounds [48 oz.] over 10 pounds [160 oz.] over 25 pounds [400 oz.]	 25,000.00 50,000.00 100,000.00 150,000.00 200,000.00 250,000.00 500,000.00 1,000,000.00
11352/11379/ 11379.5	SALE, FURNISHING, TRANSPORTATION less than 1 ounce [28.5 grams] 1 ounce or more ½ pound [8 oz.] or more 1 pound [454 grams][16 oz.] or more over 1 kilogram [2.2 lbs.][35.2 oz.] over 3 pounds [48 oz.] over 10 pounds [160 oz.] over 25 pounds [400 oz.]	 25,000.00 50,000.00 100,000.00 150,000.00 200,000.00 250,000.00 500,000.00 1,000,000.00
11354	INDUCING MINOR TO SELL NARCOTICS	\$ 25,000.00

HEALTH AND SAFETY CODE

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
11358	CULTIVATION OF MARIJUANA	
	less than 50 plants	\$ 5,000.00
	50-199 plants.....	\$ 25,000.00
	200-500 plants.....	\$ 50,000.00
	more than 500 plants.....	\$ 100,000.00
11359/11360	POSSESSION FOR SALE OR SALE OR TRANSPORTATION OF MARIJUANA	\$ 5,000.00
	over 25 pounds.....	\$ 25,000.00
	over 100 pounds.....	\$ 50,000.00
	over 1000 pounds.....	\$ 250,000.00
11370.1	POSSESSION OF DRUGS & FIREARM	\$ 25,000.00
11370.6	POSSESSION GREATER THAN \$100,000 W/CONTROLLED SUBSTANCE.....	\$ 100,000.00
	(Plus the amount confiscated, rounded to the next multiple of 1,000.)	
11379.6(a)	MANUFACTURE OF CONTROLLED SUBSTANCES	\$ 100,000.00
	over 3 pounds or 9 gallons.....	\$ 250,000.00
	over 10 pounds or 33-1/3 gallons	\$ 500,000.00
	over 25 pounds or 62.5 gallons.....	\$ 1,000,000.00
11383	POSSESSION OF PRECURSORS WITH INTENT TO MANUFACTURE. PCP OR METHAMPHETAMINE.....	\$ 50,000.00

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VEHICLE CODE VIOLATIONS

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
2800.2	EVADING A PEACE OFFICER: RECKLESS DRIVING.....	\$ 25,000.00
20001	HIT-RUN, INJURY	\$ 25,000.00
	...OR DEATH	\$ 150,000.00
23110(b)	THROWING MISSILE OR SHOOTING AT VEHICLE WITH INTENT TO DO GREAT BODILY INJURY	\$ 25,000.00
23152	DRIVING UNDER THE INFLUENCE OF ALCOHOL/DRUGS WITH 3+ PRIORS	\$ 50,000.00
23153	DUI WITH INJURIES [DRUGS OR ALCOHOL].....	\$ 50,000.00

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PART 4: BAIL AMOUNT FOR ENHANCEMENTS TO FELONIES

ENHANCEMENTS (THESE ARE CUMULATIVE)

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>ADDITIONAL AMOUNT</u>
PC 186.22	CRIMINAL STREET GANG (see also 186.22 in PART 3)	
	(b)(1)(A) on any felony.....\$	25,000.00
	(b)(1)(B) on any “serious” felony.....\$	50,000.00
	(b)(1)(C) on any “violent” felony.....\$	75,000.00
	(b)(4) on “enumerated” felony.....\$	500,000.00
	(d) on any felony or misdemeanor.....\$	5,000.00
PC 422.75	COMMISSION OF A HATE CRIME.....\$	50,000.00
PC 667	PRIOR CONVICTIONS	
	[a] prior violent or serious felony plus a current violent or serious felony [for each felony].....\$	25,000.00
	[c] habitual criminal (Strike 1) (See Rule 5(B)).....\$	50,000.00
PC 667.5	STATE PRISON PRIORS	
	[a] prior violent felony plus a current violent felony [for each felony].....\$	25,000.00
	[b] on any felony [for each prior].....\$	10,000.00
PC 667.51	COMMITTS LEWD ACT WITH A CHILD AND WAS PREVIOUSLY CONVICTED OF	
	[a] committing lewd acts with children.....\$	75,000.00
	[b] committing lewd acts with children [more than two convictions].....\$	500,000.00
PC 667.6	COMMITTS SEXUAL OFFENSE AND	
	[a] using force or violence with a prior lewd acts with children.....\$	50,000.00
	[b] two or more priors for violent crimes.....\$	100,000.00

ENHANCEMENTS (Contd.)

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>ADDITIONAL AMOUNT</u>
PC 667.7	COMMITTS A FELONY WITH MEANS LIKELY TO CAUSE GBI AND	
	[1] has two prior violent crime convictions.....\$	500,000.00
	[2] has three prior violent crime convictions.....\$	NO BAIL
PC 667.75	TWO OR MORE PRIOR PRISON TERMS FOR USING MINORS IN DRUG VIOLATIONS	500,000.00
PC 667.9	SERIOUS FELONY COMMITTED AGAINST THE ELDERLY OR UNDER 14	35,000.00
PC 667.10	REPEAT OFFENDER OF SEX CRIMES AGAINST THE DISABLED, ELDERLY, OR UNDER 14.....\$	35,000.00
PC 12022	COMMITTING OR ATTEMPTING FELONY	
	[a][1] armed with a firearm.....\$	5,000.00
	[a][2] armed with a assault rifle	15,000.00
	[b] use of a deadly or dangerous weapon.....\$	5,000.00
	[c] while personally armed with a firearm.....\$	25,000.00
	[d] with an accomplice who was personally armed	10,000.00
PC 12022.1	FELONY COMMITTED WHILE ON BAIL OR ON O/R RELEASE	15,000.00
PC 12022.2	FELONY COMMITTED WHILE ARMED WITH FIREARM AND IN POSSESSION OF METAL-PIERCING AMMO ...\$	25,000.00
PC 12022.3	RAPE OR SEXUAL ABUSE	
	[a] committed with a firearm or deadly weapon	25,000.00
	[b] committed while armed with a weapon	15,000.00
PC 12022.4	SUPPLYING FIREARM FOR COMMISSION OF FELONY	15,000.00

ENHANCEMENTS (Contd.)

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>ADDITIONAL AMOUNT</u>
PC 12022.5	COMMISSION OF FELONY AND	
	[a] use of a firearm	\$ 25,000.00
	[b][1] discharges a firearm at occupied vehicle.....	\$ 50,000.00
	[b][2] uses an assault weapon	\$ 50,000.00
	[c] uses firearm while violating drug laws	\$ 25,000.00
PC 12022.53	COMMISSION OF SPECIFIED FELONY AND	
	[b] uses a firearm	\$ 50,000.00
	[c] discharges a firearm	\$ 100,000.00
	[d] discharges a firearm and causes great bodily injury	\$ 500,000.00
PC 12022.55	CAUSING GBI BY DISCHARGING A FIREARM	\$ 500,000.00
PC 12022.6	TAKING PROPERTY WITH A VALUE IN EXCESS OF \$50,000	EQUAL TO THE VALUE OF THE PROPERTY
PC 12022.7	INFLICTION OF GBI	\$ 25,000.00
PC 12022.75	FORCED CONSUMPTION OF A DRUG.....	\$ 25,000.00
PC 12022.8	GBI WHILE COMMITTING A SEXUAL OFFENSE.....	\$ 50,000.00
PC 12022.85	AIDS PLUS COMMISSION OF A SEXUAL OFFENSE....	\$ 50,000.00
PC 12022.9	DEATH OF A FETUS WHILE INFLICTING INJURY ON VICTIM	\$ 50,000.00
H&S 11370.2	PRIOR FELONY DRUG CONVICTIONS.....	\$ 25,000.00 each
H&S 11379.7(a)	CHILDREN PRESENT AT METH LAB	\$ 10,000.00 each
H&S 11379.7(b)	CHILDREN PRESENT AT METH LAB WHO SUFFER GBI	\$ 25,000.00 each

SECTION B: MISDEMEANOR BAIL SCHEDULE

If the defendant is charged with more than one offense, the highest bail amount on any single offense charged shall be used. This is per case. Bail on separate cases is cumulative.

Adjustments to the scheduled bail amounts are within the discretion of each judge, taking into account the defendant's prior record, including, but not limited to, additional pending warrants, failures to appear in court, violation of probation, and the nature of the instant offense.

Misdemeanors Not Listed	\$	2,500.00
Misdemeanor Violations of Probation	\$	5,000.00
“Wobbler” (Felony/Misdemeanor) Charged as Misdemeanor Not Listed	\$	3,500.00
Ordinance Violations Not Listed	\$	250.00*

* Bail amount includes all penalty assessments; cash bail may be posted and forfeited.

<u>Penal Code Section</u>	<u>Description of Violation</u>	<u>Bail Amount</u>
PC 192(c)	Vehicular manslaughter.....\$	7,500.00
PC 243(b)	Battery on peace officer/fire personnel\$	3,000.00
PC 243.4	Sexual battery\$	3,500.00
PC 273.5	Spousal battery\$	5,000.00
PC320-324	Lotteries.....\$	500.00
PC 374.3	Refuse dumping.....\$	270.00*
PC 374.4	Littering\$	270.00*
PC 415	Disturbing the peace\$	500.00
PC 417(a)(2)	Brandishing firearm.....\$	3,000.00
PC 594	Vandalism	
	...damage less than \$100.00.....\$	500.00
	...damage more than \$100.00.....\$	2,500.00
PC 597	Cruelty to animals.....\$	5,000.00
PC 626.10	Knives/weapons on school campus\$	5,000.00
PC 647(c)-(3)/(g)	Begging/loitering.....\$	500.00*
PC 647(f)	Public intoxication.....\$	500.00*
PC 653k	Switchblade knives.....\$	1,500.00

Business & Professions Code

<u>Section</u>	<u>Description of Violation</u>		<u>Bail Amount</u>
25658	Furnishing alcohol to minor	\$	1,500.00
25661	Possession of false identification	\$	500.00*
25662	Minor in possession of alcohol	\$	1,000.00

Health & Safety Code

<u>Section</u>	<u>Description of Violation</u>		<u>Bail Amount</u>
11357(b)	Possession of marijuana – less than 1 oz.	\$	270.00*
11364	Paraphernalia	\$	1,500.00
11377	Possession of controlled substance	\$	3,500.00

Adopted by the Judges of the Superior Court of California
County of Riverside on November 30, 2009
Effective Date: January 1, 2010

Distribution:

Each Judicial Officer
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